

1 MICHAEL PIERCE SINGSEN, ESQ., State Bar # 142350
2 LAW OFFICES OF MICHAEL PIERCE SINGSEN
3 637 Carolina Street
4 San Francisco, CA 94107
5 Telephone: (415) 552-1177, (415) 920-9393 (fax)

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7 Attorney for Plaintiff
8 SYED NAWAB
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SYED NAWAB,

Plaintiff,

v.

MARKEL INSURANCE COMPANY, and DOES
1 to 5, inclusive,

Defendants.

NO. CV 08-5750 VRW

STIPULATION RE: PENDING
MOTIONS AND FOR FILING OF
SECOND-AMENDED COMPLAINT;
ORDER THEREON

IT IS HEREBY STIPULATED by and between the parties hereto
through their respective attorneys of record that:

1. Plaintiff Nawab withdraws his pending Motion to Remand
and agrees not to seek a remand at any point throughout the
pendency of this case.

2. Defendant Markel withdraws its pending Motion to Dismiss.

3. Plaintiff Nawab may file a Second-Amended Complaint.

4. Defendant Markel will not file a motion to dismiss
Nawab's Second-Amended Complaint, or any other motion under Rule
12(b)(6). However, such stipulation shall not prevent Markel
from filing a motion for summary judgment or other post-complaint
motion challenging the sufficiency of Nawab's allegations against
Markel.

STIPULATION

5. Defendant Markel waives notice and service of the second-amended complaint. The second-amended complaint is deemed served on the date the Order on this Stipulation is signed by the Court, and defendant Markel will file an Answer to Nawab's Second-Amended Complaint and a Counterclaim within the prescribed time period.

IT IS SO STIPULATED THROUGH COUNSEL OF RECORD.

DATED: 3/27/09 LAW OFFICES OF MICHAEL PIERCE SINGSEN

By: 

MICHAEL PIERCE SINGSEN

DATED: 03/27/09

BERMAN, BERMAN & BERMAN, LLP

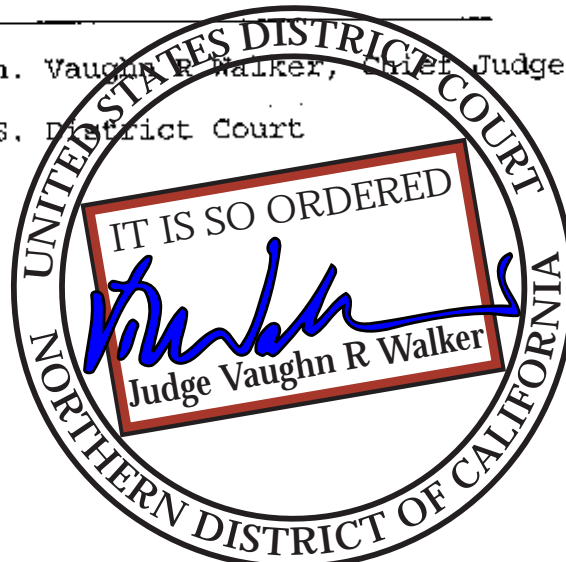
By: 

SPENCER A. SCHNEIDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 31, 2009

Hon. Vaughn R. Walker, Chief Judge
U.S. District Court



PROOF OF SERVICE

I, the undersigned, declare:

I am over the age of eighteen years and am not a party to the within entitled action. I am employed in the County of San Francisco, and my business address is: 637 Carolina Street, San Francisco, CA 94107.

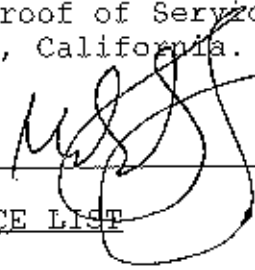
On the date last written below I caused the following document(s):

STIPULATION RE: PENDING MOTIONS AND FOR FILING OF SECOND AMENDED COMPLAINT

to be delivered on the parties, through their attorneys of record by placing true and correct copies thereof in sealed envelopes addressed as shown on the attached Service List for service as designated below:

 x (By electronic mail) I caused such documents to be delivered to the office of the addressee by electronic mail to the email address stated on the service list.

I declare under penalty of perjury that the foregoing is true and correct and that this Proof of Service was executed this March 27, 2009, at San Francisco, California.



SERVICE LIST

Nawab v. Markel Insurance Company
U.S. District Court Northern District

Action No. CV 08-5750-VRW

Spencer Schneider
BERMAN, BERMAN & BERMAN
11900 W. Olympic Blvd., Suite 600
Los Angeles, CA 90064
saschneider@b3law.com